

1
2
3
4
5
6
7
8
9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA
11

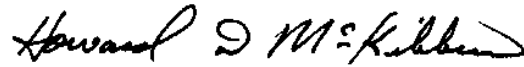
12 UNITED STATES OF AMERICA,) 2:98-cr-00035-HDM-RJJ
13)
14 Plaintiff,)
15 vs.) ORDER
16)
17 BRET ALLEN HUDSON,)
18)
19 Defendant.)
20)
21)
22)
23)
24)
25)
26)
27)
28)

29 The defendant has filed a "motion for modification of
30 conditions" under 18 U.S.C. § 3583(e)(2) (#154). The motion does
31 not actually seek modification of the conditions of supervised
32 release as contemplated by § 3583(e)(2). Rather, defendant seeks
33 reduction of his term of imprisonment on the grounds that the
34 sentence exceeds the maximum authorized by law. Defendant's motion
35 is therefore not a motion for modification of conditions of
36 release, but instead is more properly characterized as a motion for
37 correction of sentence pursuant to 28 U.S.C. § 2255. Defendant has
38 over the years filed several motions either directly under § 2255
39 or cognizable under § 2255. The motion therefore amounts to a

1 successive § 2255 motion, and successive § 2255 motions may not be
2 filed except under "limited circumstances." *Dodd v. United States*,
3 545 U.S. 353, 359 (2005). Defendant has not shown any of those
4 circumstances exist. See 28 U.S.C. § 2255(h). The motion (#154)
5 is accordingly **DENIED**.

6 **IT IS SO ORDERED.**

7 DATED: This 6th day of August, 2012.

8 
9

10 UNITED STATES DISTRICT JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28